

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 FEA-01 ACDA-12 CIAE-00 INR-07 IO-13

L-03 NSAE-00 NSC-05 EB-08 NRC-05 OES-07 DODE-00

SS-15 SP-02 /091 W

-----121310 291830Z /41

R 281921Z OCT 77

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 2834

INFO ALL EC CAPITALS

AMEMBASSY VIENNA

AMEMBASSY OTTAWA

ERDA WASHDC

ERDA GERMANTOWN

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USEEC

VIENNA FOR USIAEA

E.O. 11652: N/A

TAGS: ENRG, MNUC, EEC

SUBJECT: NUCLEAR SAFEGUARD AGREEMENT BETWEEN EURATOM,  
FRANCE AND IAEA

REF: BRUSSELS 14720 (NOTAL)

1. THE EC COMMISSION HAS SUBMITTED A DRAFT DECISION  
TO THE EC COUNCIL PROVIDING GUIDELINES FOR NEGOTIATIONS  
OF AN AGREEMENT BETWEEN EURATOM, FRANCE AND THE IAEA  
EXTENDING IAEA SAFEGUARDS TO CIVILIAN NUCLEAR INSTALL-  
ATION IN FRANCE. THE COMMISSION COMMUNICATION  
FORWARDING THE PROPOSED GUIDELINES RECALLS THAT ON  
MAY 16, 1975, THE GOF INFORMED THE COUNCIL THAT IT  
WAS PREPARED TO COMMENCE NEGOTIATIONS OF A VERIFICATION  
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AGREEMENT WITH EURATOM AND THE IAEA. IT ALSO RECALLS  
THAT A TRIPARTITE AGREEMENT WAS SIGNED BETWEEN EURATOM,  
THE UK AND THE IAEA ON SEPTEMBER 6, 1976. THE GOF CON-  
FIRMED TO THE COMMISSION ITS WILLINGNESS TO NEGOTIATE  
SUCH AN AGREEMENT IN JULY 1977. ACCORDING TO AN EC  
COMMISSION ATTORNEY, THE PRESENT PROPOSED NEGOTIATION  
GUIDELINES WERE DRAFTED IN COLLABORATION WITH FRENCH

OFFICIALS AND HAVE BEEN APPROVED BY THE GOF.

2. THE DRAFT DECISION (COPY POUCHED EUR/RPE SALISBURY) DIRECTS THAT THE NEGOTIATIONS SHALL BE CONDUCTED BY A DELEGATION WITH COMMISSION AND FRENCH REPRESENTATIVES AND SHALL BE BASED, AS APPROPRIATE, ON THE SAFEGUARD PROCEDURES IN THE UK/EURATOM/IAEA AGREEMENT "SUBJECT TO ANY AMENDMENTS WHICH MAY BE NECESSARY IN ORDER TO TAKE INTO ACCOUNT THE SPECIAL SITUATION OF FRANCE AS A NUCLEAR WEAPON STATE AND AS A NON-SIGNATORY TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS". THE AGREEMENT IS ALSO TO BE BASED ON THE PRINCIPLE OF IAEA VERIFICATION OF THE EURATOM SAFEGUARDS SYSTEM, TAKING INTO ACCOUNT "THE EFFICIENCY OF THIS SYSTEM"; VERIFICATION SHOULD BE ORGANIZED IN SUCH A WAY AS NOT TO INTERFERE WITH THE FREE MOVEMENT OF NUCLEAR MATERIALS WITHIN THE EUROPEAN COMMUNITY SUBJECT TO SAFEGUARDS LAID DOWN BY THE AGREEMENT. THE GOF CAN DECIDE WHICH INSTALLATIONS ARE SUBJECT TO SAFEGUARDS.

3. THE COMMISSION COMMUNICATION WAS REFERRED BY COREPER ON OCTOBER 27 TO THE ATOMIC QUESTIONS GROUP OF THE EC COUNCIL. A COMMISSION ATTORNEY EXPECTS THAT IT SHOULD BE APPROVED BY THE EC COUNCIL WITH LITTLE DIFFICULTY IN TIME TO PERMIT NEGOTIATIONS TO BEGIN BETWEEN IAEA, EURATOM AND FRANCE AROUND DECEMBER 7. HOWEVER, A UK LIMITED OFFICIAL USE

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PERMDEL OFFICER BELIEVES THAT SOME OF THE NON-NUCLEAR WEAPON STATES OF THE COMMUNITY (NOTABLY THE FRG AND THE NETHERLANDS) MAY POSE PROBLEMS IF THEY BELIEVE THAT FRANCE, BECAUSE IT IS A NON-SIGNATORY OF THE NPT, MAY EMERGE WITH AN AGREEMENT WHICH IN ANY WAY GIVES FRANCE PREFERRED TREATMENT OVER OTHER MEMBER STATES.

4. A CANADIAN MISSION OFFICER BELIEVES THAT THIS PROPOSED DECISION AND FRANCE'S PROGRESS TOWARD AN AGREEMENT SUBMITTING FRANCE TO IAEA SAFEGUARDS MAY RESULT IN THE ELIMINATION OF THE "FRENCH PROBLEM" AS AN UNSETTLED ISSUE IN CANADA'S NUCLEAR NEGOTIATIONS WITH THE EC (PARA 1C, REFTEL). HINTON

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
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**Disposition Date:** 22 May 2009  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Review Markings:**  
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